

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CENTRAL STATES, SOUTHEAST
AND SOUTHWEST AREAS PENSION
FUND, and ARTHUR H. BUNTE, JR.,

Plaintiffs,

Case No. 12-mc-50917

v.

SCHEEL'S CONCRETE, INC.,

Paul D. Borman
United States District Judge

Defendant.

Mona K. Majzoub
United States Magistrate Judge

**ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION (Dkt. No. 46)**

**GRANTING PARTIES' JOINT MOTION FOR ENTRY OF AN ORDER DIRECTING
WALLWORX TO HOLD ALL PAYMENTS OWED TO DEFENDANT IN A SEPARATE
INTEREST-BEARING ACCOUNT (Dkt. No. 41)**

Before the Court is Magistrate Judge Mona K. Majzoub's Report and Recommendation. (Dkt. No. 46). The parties were served with the Report and Recommendation on September 9, 2013.

Having reviewed the Report and Recommendation, and there being no timely objections from either party under 28 U.S.C. § 636(b)(1) and E.D. Mich L.R. 72.1(d), the Court **ADOPTS** the Magistrate Judge's Report and Recommendation, **GRANTS** the Parties' Joint Motion for Entry of an Order Directing Wallworx to Hold All Payments Owed to Defendant in a Separate Interest-Bearing Account. (Dkt. No. 41).

As recommended by the Magistrate Judge, the Court **ORDERS** Wallworx to deposit the monies and assets it holds for Defendant Scheel's benefit in a separate, interest-bearing account pending the resolution of the priority dispute in this matter.

IT IS SO ORDERED.

s/Paul D. Borman

PAUL D. BORMAN

UNITED STATES DISTRICT JUDGE

Dated: September 27, 2013

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on September 27, 2013.

s/Deborah Tofil

Case Manager